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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/730,431 | 12/08/2003 | James J. Miller | Miller-001:CIP | 2329 |
| 21897 | 7590 | 11/03/2006 | EXAMINER | |
| THE MATTHEWS FIRM 2000 BERING DRIVE SUITE 700 HOUSTON, TX 77057 | | | ROWAN, KURT C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3643 | |

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

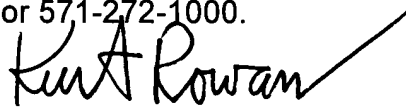
DETAILED ACTION

1. The reply brief filed August 29, 2006 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Rowan whose telephone number is (571) 272-6893. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Kurt Rowan
Primary Examiner
Art Unit 3643

KR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of §
§
JIM J. MILLER ET AL. § Attorney Docket: Miller-001;CIP
§
Serial No.: 10/730,431 § Examiner: Kurt C. Rowan
§
Filed: December 8, 2003 § Art Unit: 3643
§
For: IMPROVED AUTOMATIC FISH §
HOOK AND METHOD OF USE §

REPLY BRIEF TO AN EXAMINER'S ANSWER UNDER 37 C.F.R. 41.41

COMMISSIONER FOR PATENTS
P.O. Box 1450
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Sir:

Appellants hereby submit this Reply Brief, under 37 C.F.R. 41.41, to the Examiner's Answer, mailed June 29, 2006. This being in furtherance of the Notice of Appeal under 37 C.F.R. 1.191 and filed June 24, 2005, and the Amended Appeal Brief under 37 C.F.R. 41.37 and filed December 21, 2005 to the Board of Patent Appeals and Interferences, to appeal the decision of the Examiner of the Final Rejection of Claims 1-15 and 17-20, for the above designated application. Appellants hereby submit the information and arguments are in conformance to 37 C.F.R. 41.41.

(1) Claims Appendix

The Appellants acknowledge the Examiner's statement regarding the correct set of claims, under appeal, being the claims filed November 29, 2004.

(2) Response to Examiner's Response to Argument

This Reply Brief incorporates, by reference, each and every paragraph of the Amended Appeal Brief, filed December 21, 2005, as if specifically set out herein.

The Examiner alleges that reciting a catch, integral to the first shank does not limit the claim to one catch, since there merely has to be at least a catch integral to the first shank which is shown by Schaefer. The Examiner bases this construction, of the claims, on the Appellants' use of the term "comprising". However, the Appellants' particular claim limitation reads "a